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I. LAND AND PEOPLE

A. Geographical and historical data

1. Tunisia occupies a privileged position at the heart of the Mediterranean. Its relief is varied, with snow-covered mountains in winter, a sandy desert in the south and several hundred kilometres of sandy beaches along its coast. It has a temperate climate. It is located in the extreme north-east of Africa, between 37 and 30 degrees north, and is 164,150 square kilometres in area. Its coasts, which are washed by the Mediterranean to the north and east, are over 1,300 km long. It is bordered by Algeria to the west and by the Libyan Arab Jamahiriya to the south.

2. Tunisia has an ancient civilization dating back over 3,000 years. Its first inhabitants, the Amazigh or Libyans, also known as the Berbers, have mixed with other elements, in particular the Arabs who entered Tunisia over the centuries. This intermingling has produced the Tunisian people, in whom the Arab-Islamic element predominates.

3. In the year 814 B.C. the Phoenicians, who had come from Tyre, founded the city of Carthage. A new Punic race emerged from their inter-breeding with the Berbers. The Carthaginians, who were skilful traders and navigators, devoted themselves to developing trade and crafts, building bridges, roads and towns, and spreading knowledge.

4. Increasingly keen rivalry between the Carthaginians and the Romans for control over the Mediterranean led to the Punic wars (264-146 B.C.), which ended with the victory of the Romans. After having taken and burnt Carthage, the Romans governed the country until 439 A.D. Vestiges of the Roman era that may still be seen today include Dougga, Bulla Regia, El-Jem, Sbeïtla, etc.

5. In 439 A.D. Tunisia was seized by the Vandals, who governed it until 533 but left no trace of their passage. The Byzantines, who next established their sway over the country until the middle of the seventh century, had to face numerous uprisings and religious disturbances.

6. After 30 years of war and strife, the Muslims succeeded in conquering Tunisia. Successive Arab governors ruled the country until the end of the eighth century, the most famous among them being Okba Ibn Nafâa, who founded the city of Kairouan in 670, Hassan Ibn Nôoman, who created the Tunis arsenal, and Moussa Ibn Nussaïr, who completed the conquest of the Maghreb. In the year 800, Ibrahim Ibn Al Aghlab founded the first independent Arab dynasty in Ifriqiyah. Under the Aghlabids, attention focused on building towns where they erected religious and military edifices (mosques and ribats), creating a merchant fleet and navy, and developing crafts, agriculture and irrigation. Intellectual activity was intense. Among the most renowned figures were the Imam Suhnoun and Assad Ibn Al-Fourat (law), Yahiya Ibn Sallam (exegesis of the Koran) and Ibn Al-Jazzar (medicine).

7. In 909, the Fatimids succeeded in overcoming the Aghlabids, with the support of a number of Berber tribes. In 910, Obaïd Alla Al Mahdi entered Kairouan and announced the founding of the Fatimid caliphate in the Maghreb. The town of Mahdia, which he founded in 916, became the capital of the new dynasty. In 969, after Al-Moïz had conquered Egypt, he transferred the seat

of the Fatimid caliphate there and made Cairo, which he had founded in 973, his new capital. With the exception of the Kharijite revolt, the reign of the Fatimids was a period of economic and social prosperity and intellectual and cultural progress in Ifriqiyah.

8. When Al-Moïz transferred the seat of the Fatimid caliphate to Egypt, he left the Maghreb in the hands of Bulugguin Ibn Ziri, a Berber leader from the Sanhaja tribe. Under the rule of the Zirid princes, Ifriqiyah experienced a period of intense economic, literary and scientific development. Agriculture, industry and trade prospered. The period's flourishing intellectual life is exemplified by numerous writers, poets and jurists: Ibn Rachiq, Ibn Charaf, Al Hussari, Ibn Abi Zayd, Al Maziri. However, the Zirid dynasty was severely shaken by events that led to its downfall. The most serious of these were the Hilali invasion in 1050 and the Norman conquest of the Tunisian coasts after 1130. The Almohade Caliph Abdelmoumin, Ibn Ali, who came from Morocco to the assistance of Ifriqiyah, drove the Normans out in 1160 and restored the unity of the Maghreb.

9. Before he returned to Morocco, Abdelmoumin entrusted Ifriqiyah to a Berber governor, Abou Mohamed Ibn Abi Hafs, whose son, Prince Abou Zakariya, rapidly declared his independence. Tunis became the capital of the new dynasty, succeeding Mahdia and Kairouan. During the Hafsid period, Ifriqiyah experienced unprecedented economic growth. Agricultural and craft activities developed, hydraulic engineering works were carried out, and cultural life prospered, the main figures being Ibn Khaldoun, Ibn Arafa and Ibn Rachid Al Kafsi.

10. As from the second half of the sixteenth century, the Hafsid dynasty, which had been weakened by internal problems, the insurrection of the nomadic tribes and Christian expeditions against its coasts, began to decline. The Hafsid sultan, whose power was now limited to the north-west of Tunisia, eventually recognized the suzerainty of the Spaniards, who took Tunis in 1535. The Spaniards were driven out by the Turks in 1569 but retook Tunis shortly afterwards in 1573. In 1574, the Turkish fleet, commanded by Sinan Pacha, succeeded in driving the Spaniards from Tunisia for good and putting an end to the Hafsid dynasty.

11. After 1574 Tunisia became an Ottoman province governed by officers of Turkish origin. Towards the middle of the seventeenth century, the Mouradite Beys took power and founded a dynasty that was virtually independent of the Ottoman caliphate. In 1702, a Turkish officer, Ibrahim Chérif, took power but was unable to retain it for long. In July 1705 he was overcome and taken prisoner by the Algerian army.

12. After Ibrahim Chérif's defeat, the representatives of the population of Tunis agreed to replace him by the Bey Hussein Ibn Turki, who took power on 13 July 1705 and established the principle of the succession of his descendants to his throne by primogeniture. During the nineteenth century, the Husseinite princes, who enjoyed almost total independence from the reign of Hammouda Pacha (1782-1814) to that of Sadok Bey (1859-1882), introduced numerous internal reforms. Ahmed Bey (1837-1855) founded the Bardo Polytechnic School (1840), organized teaching at the Zitouna Mosque (1842),

set up a regular modern army (1843) and abolished slavery (1846). Mohamed Bey (1855-1859) promulgated the Fundamental Pact (September 1857), which constituted a veritable declaration of human rights.

13. The reforms continued under the rule of Sadok Bey, in particular under the ministry of Khéireddine: the 1861 Constitution was promulgated, the Grand Council (Parliament) was set up, the Sadiki College was established (1875) and teaching at Zitouna university was reformed (1876).

14. Despite all these reforms, numerous insurrections broke out in Tunisia, one of the largest being that of 1864. Famine and epidemics spread throughout the country in 1867. Furthermore, the policy of external indebtedness led to a serious economic and financial crisis which brought the country to the brink of bankruptcy. France took advantage of this situation to impose its Protectorate on the country through the Bardo Treaty, signed on 12 May 1881 with Sadok Bey.

15. National resistance took a variety of forms. For three years (1881-1884), the Tunisians put up armed resistance to foreign occupation. After the armed struggle had been defeated, the national movement assumed a cultural form: action to propagate education and culture and foster social advancement. At the beginning of the twentieth century, the Tunisian nationalists expressed their political demands through the Young Tunisian Movement, under the leadership of a young lawyer Ali Bach-Hamba.

16. Following the events at Jellaz (November 1911) and the tram boycott (February 1912), the leaders of the Young Tunisian Movement were exiled by the colonial authorities, the national press was banned and a state of siege was proclaimed. After the First World War, the Constitutionalist Liberal Party was formed in 1920, under the leadership of Sheikh Abdelaziz Thaalbi. Its demands included a responsible Tunisian Parliament and Government. The Protectorate authorities responded by banishing, imprisoning or intimidating the nationalist leaders.

17. In the early 1930s, under the combined weight of colonial oppression and the economic crisis gripping the country, the national movement waned in strength. During this period, numerous young intellectuals who had returned to Tunisia on completion of their studies abroad joined the Constitutionalist Liberal Party, which they attempted to revive through an influx of new blood. Following disagreements between the "old guard" and the "new guard" over the party's methods of action, the latter convened an extraordinary congress on 2 March 1934 and elected a political bureau, whose members included Habib Bourguiba, Mahmoud Materi and Tahar Sfar, to head the New Constitutionalist Liberal Party. The new party made its mark by breathing new life into the party and through its methods of propaganda, campaigning and mobilizing the masses. The French authorities showed their irritation with this new type of campaign by arresting the members of the political bureau, who were then banished to the south of Tunisia.

18. In April 1936, in the face of persistent nationalist resistance, the Government of the Protectorate was compelled to release the exiled leaders. Two years later, following the events of 9 April 1938, the nationalist leaders were rearrested and thrown into prison, where they remained until France was defeated in the Second World War. The national movement revived under the

leadership of Moncef Bey, the sovereign and martyr who had been dethroned on 14 May 1943 by French forces because of his support for the national movement. That arbitrary measure had aroused the indignation of the Tunisian people and stiffened its resolve to struggle for independence.

19. At the end of the Second World War, the Néo-Destour joined the French Government in attempting to find a peaceful means of satisfying Tunisian demands. Its efforts were in vain. The decisive struggle was engaged on 18 January 1952, following the arrest of the leader Habib Bourguiba and his companions. The only respite for the popular resistance, which lasted for three years, was on 31 July 1954, when the French Government, represented by the President of the Council, Mr. Mendès-France, declared its willingness to grant internal autonomy to Tunisia.

20. After long and arduous negotiations, the Franco-Tunisian Conventions were signed on 3 June 1955. They provided for responsibility for all matters, except foreign affairs and defence, to be transferred to the Tunisian Government. Despite the opposition of its leader, Salah Ben Youssef, who was to be expelled from the party, the Convention was approved by the Néo-Destour congress held at Sfax on 15 November 1955. The National Movement took advantage of the success of the left in the French general election to demand independence for Tunisia. The negotiations which opened in Paris between the Governments of France and Tunisia rapidly concluded with the signing of the Protocol of 20 March 1956, abrogating the Bardo Treaty and recognizing Tunisia's independence.

21. After the election of the National Constituent Assembly, a new national Government, presided over by the leader Habib Bourguiba, was formed. It immediately began to take the steps necessary to give full substance to the sovereignty implied by the protocol of independence. The following measures were adopted in the course of a few years: establishment of the national army (June 1956); promulgation of the Personal Status Code (13 August 1956); unification of justice (7 July 1957); abolition of the Beylik and proclamation of the Republic (25 July 1957); promulgation of the Constitution (1 June 1959); withdrawal of foreign troops (15 October 1963); transfer of agricultural land to Tunisian ownership (12 May 1964).

22. After the proclamation of the Republic, the National Assembly appointed the leader Habib Bourguiba, President of the Council, as Head of State until the Constitution came into force. In November 1959, after the Constitution had been promulgated, he was elected as the first President of the Republic of Tunisia and remained in office until early on 7 November 1987.

23. On 7 November 1987, President Zine El Abidine Ben Ali assumed the office of President of the Republic in a constitutionally lawful manner. His first act was the Declaration of 7 November 1987, in which he stated that Tunisia's independence, territorial integrity and invulnerability and the advancement of its people were a matter for all Tunisians, that all the elements and components of the Tunisian people were capable of contributing to the task of developing Tunisia and managing its affairs, and that the republican regime, which guaranteed the full development of institutions, ensured the conditions necessary for democracy based on the sovereignty of the people, a multi-party system and pluralistic popular organizations. President Ben Ali also asserted

his determination to ensure the proper enforcement and primacy of the law, and successfully revised the legislation relating to political activity.

B. Demographic and economic data

24. In 1991 the population of Tunisia was 8.2 million. Tunisians are Sunnite Muslims, most of them of the Maliki rite. There are also a few thousand Jews and Christians in Tunisia.

25. The basic demographic indicators show that there has been a steady decline in fertility since the 1960s, as a result of improved living conditions, better education, greater participation of women in the labour market and, above all, improved medical and welfare services.

26. Over the past 30 years, the population doubled from 4.1 million in 1961 to 8.2 million in 1991, despite the rapid decline in the birth rate in recent years. The natural growth rate accordingly fell from 2.5 per cent in 1986 to 1.9 per cent in 1990.

27. Forecasts based on a gradual decline in fertility and in the birth rate and a moderate fall in the mortality rate, together with the absence of emigration, assume an average annual growth rate of 1.8 per cent over the next decade, which will gradually decline and stabilize at approximately 0.9 per cent per annum between 2001 and 2026. According to these forecasts, the population will rise from 8.2 million in 1991 to 9 million in 1996, 9.8 million in 2000 and 13.1 million in 2026.

28. The steady decline in fertility and the regular increase in life expectancy exemplify the transitional demographic phase through which Tunisia has been passing for 30 years. Its dominant features are as follows:

Reduction in the number of children who die before the age of 5 from 18.6 per cent of the population in 1966 to 13 per cent in 1989, 10.5 per cent in 2001 and 7.5 per cent in 2026, according to forecasts;

Considerable increase in the economically active population (aged over 15), which doubled from 2.4 million in 1966 to 4.9 million in 1989 (increase from 53.5 per cent to 62 per cent of the total population). Forecasts for 2001 and 2026 are 69 per cent and 77 per cent respectively;

Marked rise in the proportion of the population aged over 60 (which has more than doubled, from 250,000 to 590,000) during the past 30 years. This age group is expected to grow from 7.6 per cent of the total population in 1989 to 8 per cent in 2001, then to about 13 per cent around 2026.

29. More than any other sector of the population it is young people, i.e. those aged between 15 and 29, who, through their demands and ambitions, give concrete expression to the changes in our society, as they account for over a quarter of the total population. There are 2.2 million young people, in comparison with about 1 million in 1966, representing 20 per cent of the total population; this figure is expected to rise to 3 million in 2026. This trend, which has given rise to greater needs deriving from new increased demands for democracy and participation, is nevertheless a positive factor in

the development process thanks to the potential energy of youth, which is the most dynamic element and the driving force behind the changes in Tunisia.

30. However, the rate of unemployment remains high and, according to the employment statistics for 1989, affects 15.3 per cent of the economically active population; in other words, there are approximately 317,000 unemployed persons. If this proportion were to stabilize at its current level, 75,000 additional jobs would be required each year over the next decade. However, there is little likelihood of the rate remaining stable on account of the decline in the rate of unemployment in recent years and the expected rise in the number of pupils and students in primary, secondary and higher education. On the basis of these data, the training and education system is expected to contribute to the reduction of the additional demand for employment by almost 10,000 young people a year. As a result, effective additional demand will be in the region of 65,000 a year throughout the decade (1992-2001).

31. Forecasts regarding graduates from the various schools and universities indicate the need to take greater account than ever of the new structure of the demand for employment, characterized by the growth in the number of graduates from secondary and higher education. The number of higher education graduates will rise from 7,500 in 1991 to 10,000 in 1996 and 16,000 in 2001. The next five years will see the training of 5,000 engineers in various branches, 4,300 doctors and pharmacists, 15,000 technicians and highly-skilled technicians, and 11,000 economics, law and social science graduates, not to mention vocational education and specialized education graduates. This will make it possible to improve the quality of management in firms and to raise the level of skills.

32. Over two thirds of schoolchildren and university students speak both Arabic and French (67.8 per cent), while 22.4 per cent speak only Arabic. A total of 8.2 per cent speak Arabic, French and English. School enrolment is as follows: 64 per cent in primary education, 32 per cent in secondary and 4 per cent in higher.

33. The geographical distribution of the population is undergoing two major changes: first, the growing density of the population along the Sahel coast, which rose from 61 per cent to 65 per cent of the total between 1966 and 1989; and secondly, the rapid growth in the size of the urban population, which increased from 40 per cent of the total in 1966 to about 59 per cent in 1989.

34. These demographic and urban changes have led to greater demand for various social services, particularly education, training, culture, health, welfare and housing. Considerable financial resources need to be mobilized in order to satisfy these needs. As an example, for the next five years the volume of investment allocated to newly-enrolled higher-education students will need to be tripled in order to meet their needs for social services, at constant prices and in relation to the achievements of the past five years.

35. The increase in the number of adults and the decline in births require greater attention from the public health and social welfare sectors, which will have to adjust to the new situation. Public health services must be adapted to treat new diseases, while preserving the financial balance of social security funds.

36. Action taken over the past three decades to foster development has led to several economic and social achievements, as is confirmed by the far-reaching structural changes in the economy and society as a whole.

37. The most important changes are the following:

(a) The improvement in incomes and living conditions; per capita income has risen by 125 per cent at constant prices over the past three decades and the number of families below the poverty line fell from 75 per cent at the time of independence to just 6.7 per cent in 1990;

(b) The diversification of the economy with the emergence of new sectors, such as the manufacturing industry and tourism. These sectors' weight in GDP has increased steadily, while the share of agriculture has declined;

(c) Greater urbanization;

(d) The considerable decline in the mortality rate;

(e) The development of teaching, education and training, which has led to a decline in the illiteracy rate;

(f) The marked increase in the size of the middle class.

38. In 1986, Tunisia adopted a large-scale structural adjustment programme comprising, alongside short-term measures designed to halt the deterioration in the economic situation, a series of structural reforms intended to readjust the economy to the new situation through greater flexibility of economic structures, liberalization of private initiative and rehabilitation of market mechanisms. This programme was the cornerstone of economic policy during the Seventh Plan (1987-1991).

39. The reforms affected sensitive areas, and in particular:

(a) The liberalization of investment and the amendment of the various investment codes;

(b) Gradual price liberalization at the production and distribution stages;

(c) Gradual import liberalization by eliminating restrictions on capital goods, raw materials and semi-finished products;

(d) Tax reform involving the introduction of value added tax and a single income tax;

(e) Initiation of reform of the monetary and financial system;

(f) Initiation of the programme to restructure and privatize State-owned enterprises as part of the reform of the State's role and its means of intervention.

40. The overall results of the Seventh Plan clearly indicate that the development process has entered a decisive phase and that there has been a radical change in behaviour in comparison with the past. The overall productivity of factors of production in the non-agricultural sectors has improved considerably and is continuing to do so, with an average increase estimated at 2.2 per cent per annum during the period of the plan, in contrast with a generally negative trend in the past. This improvement has highlighted the impact of the reforms and policies implemented to ensure rational use of available production capacity and has helped to reorient investment towards the productive sectors.

41. In 1992 and 1993, Tunisia's good economic performance was not matched by a favourable trend in foreign trade, especially in exports; this was partly due to an international situation characterized by persistent recession in most of the industrialized countries. After having grown by 11 per cent per annum in 1990 and 1991, exports increased moderately by 4.4 per cent in 1992 and 12 per cent in 1993, whereas imports rose sharply by 18.8 per cent in 1992 and 12 per cent in 1993. They had declined by 0.8 per cent in 1991. As a result, the export/import cover rate worsened sharply, falling from 71 per cent in 1991 to 62.7 per cent in 1993. In order to reverse this trend, the measures adopted in 1992 were reinforced in 1993. They are intended to consolidate insurance against export risks, boost the export support funds and stimulate international trading firms.

42. The considerable improvement in financial balances and debt parameters is the third main structural element in the results of the Seventh Plan. The current balance-of-payments deficit and the State budget deficit have been reduced to moderate levels, compatible with capacity to finance them. In addition, the structure of the debt has improved considerably in terms of GDP and has declined to well below preliminary forecasts.

43. These results have made it possible to achieve a rate of growth of 4.2 per cent per annum, higher than the 4 per cent initially forecast, despite the acute problems encountered during the period of the Plan, notably the drought and the Gulf war. Notwithstanding these circumstances, investment and tourism rose during the final year of the Plan.

44. As a whole, the results of the Seventh Plan confirm the soundness of the new approach based on the liberalization of private initiative, limiting protection of the domestic market and the role of foreign trade as a catalyst to stimulate and intensify development. This approach strengthened the economy's capacity to withstand external shocks and to achieve far better results than those of earlier policies based on domestic demand.

45. The average growth forecast for the Eighth Plan is based on a marked improvement in overall factor productivity, which is expected to derive from better use of the potential available and from an appropriate investment policy that will avoid promoting new projects before ensuring proper use of existing capacity.

46. Preliminary studies have shown that the principal sectors with inadequately used production capacity include agriculture, manufacturing industry and tourism.

II. GENERAL POLITICAL STRUCTURE

A. Overall political development

47. Tunisia has possessed a basic form of political organization for over 2,800 years, as its first Constitution was that of Carthage, whose text was cited by Aristotle in his famous work Politics, alongside the Constitution of Sparta in Greece.

48. Over the years that Constitution enabled the Carthaginians to live democratically and to set up a codified system of institutions. The system was principally characterized by the election of 2 deputies a year by the people, and the formation of a Senate with 300 members elected for life, of a popular assembly and of intellectual and professional circles (Syssites) whose role was to enable various opinions and feelings to be expressed, and to influence the decisions of the elected bodies. Historians have unanimously recognized Carthage's pioneering role in world freedom and democracy.

49. The second Tunisian Constitution was promulgated on 26 April 1861 following the Fundamental Pact of 10 December 1857, which was a form of civil rights charter. Both constitutions are marked by the liberal trend characteristic of that period, which advocated individual freedom, non-discrimination against foreigners and ethnic minorities, and the harmonization of Arab-Islamic culture with political and economic liberalism.

50. Between these two historical periods, several systems, which varied depending on the region, were established in Tunisia during the Roman era for the purpose of ensuring the continuity of Rome's presence. Tunisia also experienced the authoritarian and arbitrary systems of the Vandals and Byzantines. As a result of the advent of Islam, Tunisia became an integral part of the Islamic caliphate and witnessed the establishment of several Arab, Berber and Turkish dynasties: the Aghlabid, Fatimid, Zirid, Almohad, Hafsid and Husseinite dynasties. The last Bey was overthrown on 25 July 1957 and the Republic proclaimed. With the exception of the Fatimids, whose absolute, cruel and intolerant authority was vigorously opposed by the Tunisians, the other political systems were based on a highly formal Shura (consultation) within small assemblies. It should be noted that these dynasties' successive Emirs endeavoured, for the sake of appearances, to secure the allegiance of the ulemas, dignitaries and tribal chiefs, before taking power.

51. Under the Protectorate, dual sovereignty gave way to direct government. Western influence was felt in administration, economic management and the judicial system. The education system trained liberal elites, who are still influential today and combated the strait-laced and over-sensitive puritanism characteristic of certain circles during earlier periods.

52. Following Tunisia's independence in 1956, a national constituent assembly was elected to draw up the Constitution, which was promulgated on 1 June 1959. Since then, Tunisia's political system, like that of the Western democracies, has become a liberal one.

53. The Constitution opted for a republican regime based on sovereignty of the people, the separation of powers and the unity of the State. Its first preambular article lays down the essential guarantees and rights of individuals.

54. Several amendments have been made to the Constitution, the most important of which, dated 8 April 1976, recognized the specific prerogatives of the Government in exercising executive authority and assisting the Head of State. The Chamber of Deputies was granted the right to monitor the action of the Government, which on several occasions had to obtain a vote of confidence. Subsequently, the amendment of 25 July 1988 abolished the life presidency, limited the number of times a person could be elected President to three, and spelled out the respective roles of the executive and legislative branches.

55. In the political sphere, the first President of the Republic of Tunisia, Habib Bourguiba, strove to achieve national unity and to lay the institutional foundations of a modern State, while simultaneously taking far-reaching action to promote education and the emancipation of women. He pursued a policy of modernization, and combated the religious puritanism of the time, discriminatory nationalist trends and totalitarian Marxism. However, Tunisia's regional environment somewhat hampered those modernistic liberal trends. Furthermore, the emergence of pan-Arab and extremist Islamic fundamentalist movements opposed to such a society led to the considerable stiffening of the resolve of the regime of that period to defend its policy, which its adversaries described as dissolute and pro-Western. Moreover, President Bourguiba's advanced age and the illness to which he fell victim at the age of 80 led to a certain degree of disorganization within the State, thereby paving the way for increased personalization of authority, negligence and a deep social crisis.

56. On 7 November 1987, in conformity with the provisions of the Constitution regarding the transfer of authority should the President be incapable of completing his mandate, Zine El Abidine Ben Ali became President of the Republic and introduced a new style of government.

57. On 2 April 1989, presidential and general elections were held; they were contested by seven parties, in addition to the independent parties. The Rassemblement Constitutionnel Démocratique won about 80 per cent of the votes in the general election, although the first-past-the-post electoral system enabled it to win all the seats in the Chamber of Deputies, while attempts to present coalition lists representing all parties in the first elections since 7 November 1987 came to nought. The recent amendments to the electoral system are designed precisely to make it easier for opposition parties to be represented in the Chamber of Deputies.

58. Municipal elections were also held on 10 June 1990 under a new electoral system based on proportional representation. They resulted in the election of a number of independent candidates to municipal councils, while other communes, such as that of la Chebba, are in the hands of the opposition.

B. Current constitutional and legal framework

59. The current Constitution of Tunisia was promulgated on 1 June 1959. It proclaims the sovereignty of the people and institutes a republican regime based on the separation of powers. It also proclaims the inadmissibility of modifying the republican form of government, which ensures the full development of society and shields it from attempts to destroy this constitutional edifice by ideologies of an extremist political or religious character hostile to democracy and human rights.

60. Important amendments have been made to the Constitution on several occasions. On 8 April 1976, the presidential system was modified through the introduction of certain techniques for parliamentary control of the Government. Under the amendments of 25 July 1988, the life presidency was abolished, the President of the Republic may be re-elected only twice, each presidential term being five years, and the age limit for candidates for membership of the Supreme Court was set at 70.

61. The Head of State is assisted by a Prime Minister appointed by him.

62. The Prime Minister directs and coordinates the action of the Government. He acts as alternate, when necessary, for the President of the Republic in chairing the Council of Ministers or any other council. The Government is responsible for its actions to the President of the Republic. The Chamber of Deputies monitors the Government's implementation of the policy defined by the President of the Republic and may challenge the responsibility of the Government by means of a censure motion if it considers that the Government is not acting in conformity with the general policy of the State and the fundamental options defined by the President of the Republic. The motion is admissible only if it is substantiated and signed by at least half the members of the Chamber of Deputies. It may not be voted on until 48 hours after it has been submitted. If a censure motion is adopted by a two-thirds majority of deputies, the President of the Republic accepts the resignation of the Government presented by the Prime Minister.

63. Legislative authority is exercised by the Chamber of Deputies, whose members are elected by universal, free, direct and secret suffrage. The statutory minimum age for election to the Chamber of Deputies has been lowered from 28 to 25. Deputies are elected for a five-year term, and there is no limit on the number of terms they may serve. The Organization Act (No. 93-118) of 27 December 1993 has amended and supplemented the Electoral Code. This Act maintains majority voting for one round while introducing the system of proportional representation at the national level. As a result of this amendment, the opposition parties will be able to have seats in the Chamber of Deputies for the first time in the history of Tunisia. The number of seats in the Chamber of Deputies, formerly 141, has been increased to 163 under Decree No. 94 of 10 January 1994.

64. It should be emphasized that the Chamber of Deputies has exclusive competence in an area protected by the Constitution. This area includes fundamental freedoms and rights, personal status, taxes and other important sectors. This means that the executive may not, in these areas, take the initiative without the authorization of the Chamber of Deputies. In practice, the Chamber of Deputies has never conferred authority in this manner.

65. The Constitution establishes the principle of the independence of the Judiciary, stipulating that "the judges are independent and obey only the law in the affairs of justice". The Higher Council of the Judiciary ensures that this independence genuinely exists, supervising the appointment of judges, their promotion and transfer, and disciplinary action against judges. The Council is composed of members elected by serving judges in all grades.

66. Tunisia's political system has made no provision for a separate declaration of human rights. These are proclaimed in the Constitution, which

is of particular importance because it is the supreme enactment of the State; this entails a solemn commitment to respect proclaimed rights and freedoms. The State will therefore refrain from promulgating any law or initiating any procedure that would run counter to the Constitution. Some rights are mentioned in the preamble to the Constitution and others are mentioned in the body of the text.

67. The constitutional system establishes the competence of the Legislature concerning the ratification of international treaties relating to legislative matters; this encompasses the freedoms, rights and duties of citizens.

68. Article 32 of the Constitution states: "Treaties do not have force of law until they have been ratified. Duly ratified treaties have an authority superior to that of the laws". It follows that an essential principle of the Tunisian Constitution is thereby established, namely, the superiority of treaties to internal legislation. It stems from this principle that, in the event of conflict between a treaty and internal legislation, it is the treaty that has force of law.

69. The Tunisian system is also characterized by the direct applicability of treaties within domestic legislation, with the result that the provisions of the treaty itself are enforced, from within, by the judges and authorities responsible for their enforcement, without need for a subsidiary legal instrument, as is the case in most other countries in the world.

70. In Tunisia, the citizen has the possibility of availing himself of international provisions before the national organs, including the jurisdictional organs. He has this possibility because the Constitution establishes the superiority of international treaties to internal legislation and because of the direct applicability of these treaties within internal legislation.

71. After his accession to supreme office, President Zine El Abidine Ben Ali established a Constitutional Council. This is a consultative body responsible for examining draft legislation submitted to it by the President of the Republic. This legislation has related to the general procedures for implementation of the Constitution, nationality, personal status, obligations, the determination of offences and relevant penalties, procedure before the various courts and tribunals, amnesty, and the general principles of the regulations governing property and real rights, education, public health, labour and social security. The Council may be consulted on any other draft legislation.

72. The powers of this Council were strengthened when it was decided that it must be consulted on draft organizational legislation relating to the rights and duties of individuals. The opinion of the Council as a whole is appended to the draft resolution to which it relates when it is submitted to the Chamber of Deputies.

73. Out of a concern to rationalize political relations between the various shades of political opinion in Tunisia, including the non-party movements, and with the aim of promoting national concord among all Tunisians, a National Pact was established, discussed and ratified by all shades of political and intellectual opinion on 7 November 1988, one year after the Change. The Pact

is a kind of code of honour in the area of political conduct, comprising the common values and major principles and ideals that are expected to bring Tunisians together and excluding everything liable to drive them apart. The essential principles and values adopted are: the prohibition of violence in political activity, the banning of political practices from mosques and schools, and the use of the media in the higher interest of Tunisia. A Higher Council for the Pact was set up and, in February 1992, took the name of a "Higher Committee", which meets regularly in order to take decisions on the country's most important affairs. Represented in it are the parties and the most influential organizations; it submits its opinion to the President of the Republic.

74. The Higher Committee for the National Pact held its first meeting on 13 April 1992 in the government building in the Kasbah in the presence of representatives of the legally-recognized political parties and representatives of the national organizations. The first meeting was chaired by the Prime Minister and was confined to the discussion of certain procedural questions relating to the choice of rapporteur. It was decided that the rapporteur should be chosen on an alternating basis from among the members of the Committee. It was further decided to devote meetings to questions relating to information and certain legal instruments, notably the Electoral Act. The theme of the second meeting was "Information and the Press Code", to which two meetings were devoted on 4 and 9 May 1992. In the same context, at a meeting held on 23 June 1992 the Committee considered the question of the amendment of the Press Code. The report on information and the Press Code was submitted to the Head of State in July 1992. It covers many points relating to freedom of information and the role of the press in general, but devotes a great deal of attention to televisual information. On 29 June, the Committee began consideration of the Electoral Code. Legislative and presidential elections are to be held in March 1994, in accordance with the amendments which have been introduced, together with majority voting, proportional representation - pursuant to the procedures announced by the President of the Republic in his speech on 27 December 1992 in the Chamber of Deputies and in order to guarantee plurality in parliamentary representation.

75. Immediately after the Change, the political prisoners were freed and a general amnesty was proclaimed on 3 July 1989. Some 20,000 people were affected by the measures relating to amnesty, recovery of rights and rehabilitation.

76. In order to consolidate the rule of law, which signifies the supremacy of the Constitution, respect for legality and above all subordination of political power to the authority of the law, the Government has undertaken a number of actions. Among these actions, mention may be made of:

(a) Adoption, on 26 November 1987, of new provisions of the Code of Criminal Procedure limiting the duration of police custody and pre-trial detention. Police custody is now limited to four days, but may be extended by a written decision of the government procurator, on one occasion for the same period and, in the case of absolute necessity, on a second occasion for a period of two days only. Pre-trial detention is limited to six months, renewable by the examining magistrate on the advice of the government procurator on a single occasion, and for the same period in the case of an ordinary offence and on two occasions in the case of a serious offence. The

amendment to the Code of Criminal Procedure adopted by the Chamber of Deputies (Act No. 93-114 of 22 November 1993) reduced the duration of pre-trial detention. The new article 85 of the Code provides that this period may not in principle exceed six months. But if the interest of the inquiry so demands, it may be extended on a single occasion in the case of an ordinary offence and for a period not exceeding three months and on two occasions in the case of a serious offence, each period not to exceed four months. The Criminal Code was supplemented by Act No. 93-112 of 22 November 1993. The new article 52 bis incorporated in this Code stipulates that "the perpetrator of an act categorized as a terrorist offence shall be liable to the penalty established for the offence itself; the penalty may not be reduced by more than half". It adds: "A terrorist offence is defined as any offence in relation to an individual or collective action aimed at harming persons or property through intimidation or terror ... Acts of incitement to hatred or racial or religious fanaticism shall be treated in the same way, irrespective of the means used";

(b) Promulgation, on 3 May 1988, of the Political Parties (Organization) Act. The right to form political parties is recognized and guaranteed provided that it is exercised with due respect for the republican character of the State and for the principle of the sovereignty of the people, that it is exercised with the aim of preserving the national patrimony, notably with regard to personal status, equality of men and women, and protection of the child, that it excludes violence and fanaticism, and that it is not founded on religious, racial, regional or linguistic bases;

(c) Amendment, of 2 August 1988, to the Associations Act of 7 November 1959. The new Act grants citizens the possibility of forming associations on the basis of a simple declaration to the competent authorities. After a period of three months from the date of deposit of the declaration and if there is no response from the Administration, "the association shall be legally formed and may then begin to exercise its activities as soon as its articles are reproduced in the J.O.R.T". On 2 April 1992, an amendment was made to this Act with the aim of guaranteeing the independence of associations and protecting them from political disputes and partisan struggles;

(d) Amendments of 28 December 1988 and 4 May 1990 to the Electoral Code through the introduction of guarantees for inclusion on electoral rolls and, above all, modulated proportional representation to promote the access of small parties to municipal councils. This amendment gave independent candidates the opportunity of standing in municipal elections. The Electoral Code was again amended and supplemented on 27 December 1993 through the introduction of a new method of voting in legislative elections in addition to the one-round majority vote, with a view to establishing political pluralism in Parliament;

(e) Amendment (2 August 1988) to the Press Code. The Administration may no longer decide to suspend a periodical; such a decision is now within the exclusive competence of the Judiciary. The Press Code was again amended on 23 July 1993. The amendments made involve freedom of opinion and expression, a reduction in the number of offences and establishment of the principle of proof of the defamatory act in all cases;

(f) Promulgation, on 29 July 1993, of an Act relating to reform of the education system, which stipulates that the fundamental objective pursued through teaching and education is to prepare young people for a life that leaves no scope for any form of discrimination or segregation on grounds of sex, social origin, race or religion. "Human rights" classes are given at all levels of education: primary, secondary and higher;

(g) Amendment, of 12 July 1993, to the Personal Status Code with a view to guaranteeing equality of rights for men and women in several spheres. Thus, the conduct of family affairs, which prior to this amendment had been the legal responsibility of the father in his capacity as head of family, is now a joint responsibility of the two spouses. The new article 23 of the Personal Status Code provides that "the spouses shall cooperate in the conduct of the family's affairs, the proper upbringing of their children and the management of the affairs of the latter, including education, travel and financial transactions". It adds that "the husband, as head of family, shall meet the needs of the wife and children to the extent of his means and in accordance with their status in the context of the components of maintenance", and that "the wife shall contribute to the family's responsibilities if she has property";

(h) Amendment of the Nationality Code. Act No. 93-62 of 23 December 1993 amending article 12 of the Tunisian Nationality Code enables a Tunisian women who is married to a non-Tunisian and lives abroad to pass on her nationality to her child. The Act states: "A child born abroad of a Tunisian mother and a non-Tunisian father shall become Tunisian, provided that this status is applied for through a declaration within the period up to one year preceding his majority. However, before reaching the age of 19, the applicant shall become Tunisian on the basis of a joint declaration by his mother and father";

(i) Amendment of the Labour Code by Act No. 93-66 of 5 July 1993. Article 5 bis of the Code provides that "there may be no discrimination between men and women in the implementation of the provisions of the Code and enactments for the purpose of its implementation". It should also be noted that Act No. 93/65 of 5 July 1993 establishes a fund for the payment of maintenance and allowances due under a judgement in favour of divorced women and their children, in accordance with the conditions established by this Act;

(j) Amendment of the Criminal Code increasing the penalties for persons found guilty of violence and assault against their wives.

77. Other action taken includes the strengthening of existing organs, such as the Economic and Social Council, and the establishment of several high-ranking organizations which directly or indirectly affect political activity and human rights. This action has been clearly reflected in:

(a) The strengthening of the powers and role of the Economic and Social Council, which is a consultative body provided for in the Constitution. Its powers have been increased on two occasions, on 7 May 1988 and 7 August 1990. Through its composition (all political shades of opinion and social categories are represented on it), the Council plays a major role in the defence and strengthening of the rights of citizens, notably economic and social rights. It has to be consulted on any draft legislation of an economic or social

character and gives its opinion on economic development plans and on their implementation procedures. It submits an annual report to the President of the Republic;

(b) The establishment, by Decree No. 89-238 of 30 January 1989, of the Higher Council on Communication. This Decree was recently amended and supplemented by Decree No. 92-1758 of 5 October 1992, which expanded the powers of this Council and strengthened its membership by including additional expertise with a view to achieving pluralism, solely on the basis of professional competence.

III. GENERAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

A. Political and administrative organs competent in the field of human rights

78. On 19 June 1991, the President of the Republic appointed a Principal Adviser on Human Rights to the Head of State, with responsibility for following up the policy of the President of the Republic for the protection of human rights. The Principal Adviser transmits to the President of the Republic information on the state of human rights in Tunisia and directs studies concerning the implementation of the policy of the Head of State in this field. His opinion is also sought with regard to the ratification and publication formalities and procedures for international conventions relating to human rights. He monitors the work of the international and regional bodies concerned with human rights, together with the work of the non-governmental organizations. He is the driving-force behind governmental action in this area and is responsible for coordination between the human rights units set up in various ministerial departments.

79. The human rights units set up in March 1992 in the Ministries of Foreign Affairs, the Interior, Justice and Social Affairs are responsible for dealing, in close cooperation, with human rights questions, preparing the reports relating to human rights submitted by Tunisia to various international bodies and improving the dissemination of information on human rights. They are also responsible for responding to applications by citizens who have exhausted the normal remedies and to the correspondence of members of humanitarian organizations relating to allegations of human rights violations.

80. The Prime Minister's Adviser on Legislation coordinates the various operations involved in the preparation of national reports to be submitted to United Nations bodies competent in the area of human rights. He issues periodic reminders concerning the deadlines for the submission of reports and provides the necessary facilities for the drafting of the reports.

B. The judicial bodies responsible for the protection of human rights

81. Because of the global nature of its responsibilities and the extent to which it is represented throughout the country, the Judiciary remains the natural guarantor of individual rights. Tunisia has long been known for its mature judicial system and the existence of a generation of magistrates who are jealous of their independence and capable of rendering effective justice.

82. The Judiciary is independent; magistrates are subject, in the performance of their functions, only to the authority of the law. The ordinary courts contribute to the judicial protection of citizens. The same is true of the Administrative Tribunal.

1. The ordinary courts

83. Attention should first be drawn to the abolition, by the President of the Republic, of the State Security Court just a few days after the Change, on 29 November 1987. This Court did not offer defendants sufficient guarantees and did not ensure independence of justice. At the same time the President of the Republic abolished the office of Attorney-General of the Republic, which constituted the instrument for intervention in justice.

84. Today in Tunisia there are about 70 cantonal courts, 23 courts of first instance in the governorates and 8 courts of appeal. All these courts are subject to the authority of a single body, the Court of Cassation in Tunis.

85. The State is concerned to increase the number of these courts and to bring justice closer to the citizens. It is also concerned to facilitate the course of justice by strengthening the magistrature, which currently comprises 1,023 judges, i.e. one judge for less than every 8,000 inhabitants. There are also about 1,700 lawyers, a similar number of judicial experts and approximately 1,000 marshal-notaries.

86. The Higher Institute of the Magistrature has been strengthened in order to ensure that judges are qualified and receive continuing training. The Institute has participated in several seminars on human rights and its training programme comprises a substantial human rights element.

87. The Ministry of Justice has published several guides for the information of the general public: guide to the record of a judgement, guide to the cantonal court, guide to judgements for intermediate relief, guide on how to obtain certain commercial documents, guide on attestation of nationality, guide on the rectification of errors in the area of civil status, guide on payment injunctions, guide on the garnishing of salaries and wages, guide on divorce proceedings, guide on death certificates.

88. A Judicial Study and Research Centre was set up within the Ministry of Justice by the new decree of 1992 on the organization of the Ministry. This Centre is responsible for, inter alia, disseminating the human rights culture through the studies and publications which it is called upon to produce.

89. Following the Change of 7 November, and in the context of assistance to citizens, a number of information offices have been set up in each court of first instance and each court of appeal to advise citizens and to inform them of the procedure to follow in their dealings with the judicial or administrative services, how to submit complete dossiers and how to obtain the documents they need. This service has since been improved and developed to the point where it has become a veritable institution, having been extended to the main courts throughout the country. A magistrate belonging to the Public Prosecutor's Department has thus been appointed to provide information to members of the public and to facilitate the performance of the requisite

formalities, while taking care not to give an opinion or interpretation so as not to encroach on the prerogatives of justice.

2. The Administrative Tribunal

90. It is the responsibility of the Administrative Tribunal to ensure that administration remains subject to the law and to protect citizens against any abuse by the administrative authorities. The Tribunal furnishes advisory opinions to these authorities and has to be consulted on acts of general application, knowing that these acts cannot be contested.

91. From the commencement of its advisory responsibilities in 1974 up to 31 December 1990, the Administrative Tribunal gave 4,381 consultations, including 4,252 binding consultations. The consultations, which are constantly increasing, were 312 in number in 1988, 380 in 1989 and 494 in 1990.

92. The Administrative Tribunal also has judicial competence, which constitutes the essential part of its activity. It is empowered to decide cases involving (a) abuse of authority and (b) compensation in certain disputes involving the public authorities.

93. Between 1975 and 31 December 1991, the Administrative Tribunal received 6,141 complaints, including 3,150 concerning the annulment of administrative decisions, 435 seeking to halt execution, 1,301 appeals relating to judicial decisions and 1,189 applications for judicial review. During the past four years, the number of cases submitted to the Administrative Tribunal has risen to approximately 600 a year.

C. Other institutions and organs responsible for monitoring respect for human rights

94. The Higher Committee on Human Rights and Fundamental Freedoms, established by Decree No. 91-54 of 7 January 1991, is a consultative body under the aegis of the President of the Republic, whom it assists in the consolidation and promotion of human rights. This Committee expresses opinions on the human rights questions submitted to it by the President of the Republic and makes relevant suggestions. It also carries out human rights studies and any other task entrusted to it by the Head of State. Decree No. 91-54 was amended and supplemented by Decree No. 92-2141 of 10 December 1992. Article 2 of the Decree of 10 December 1992 provides that "by special mandate of the President of the Republic, the President of the Higher Committee shall make visits to prisons, places of detention and youth custody or observation centres with a view to verifying the degree of compliance with the laws and regulations organizing police detention, imprisonment, and the custody or observation of juveniles. Following each inspection, the Chairman of the Committee shall submit a report to the President of the Republic".

95. The Committee is composed of 10 eminent Tunisians reputed for their integrity, competence and experience in the area of human rights and fundamental freedoms, including two deputies and eight eminent persons known for their activity in the area of human rights and fundamental freedoms and belonging to the most important associations and bodies concerned with this

question. The Committee also comprises representatives of the Ministries of Justice, Foreign Affairs, the Interior, Education and Science, Culture, Information, Public Health, Social Affairs, and Young People and Children. The President of the Republic appoints the members and the Chairman of the Committee, who alone have the right to vote.

96. The Committee expresses its opinions and suggestions unanimously or, failing this, by a majority of votes. It meets twice a year, or whenever necessary at the request of its Chairman or two thirds of its members having the right to vote. It may, if necessary and on a specific question, request the opinion of specialists of its choosing.

97. The Committee also receives complaints from individuals. It generally transmits them to the ministerial departments concerned and includes a summary of them in its annual report to the President of the Republic, as it is not empowered to consider these applications. It has in this manner succeeded in finding solutions to a large number of problems.

98. When, on 20 June 1991 in connection with certain allegations concerning human rights abuses, the President of the Republic decided to set up a commission of investigation, he entrusted the chairmanship of the commission to the Chairman of the Higher Committee, allowing him complete freedom to choose the members of the commission. On 25 June 1991, the composition of the commission was decided; apart from its Chairman, it included six members of the Higher Committee.

99. In addition to the 14 meetings which the commission held in June, July, August and September 1991, it had numerous contacts with the Minister of the Interior and heard the President and Secretary-General of the Tunisian League for the Defence of Human Rights, together with a number of lawyers and representatives of the Bar Council. It also held working meetings with certain government procurators concerned. In this connection it adopted a number of conclusions and recommendations, whose publication was ordered by the President of the Republic on 19 October 1991. At the request of the President of the Republic, the Higher Committee produced a second report on the extent of implementation of the recommendations of the commission of investigation. This report was submitted to the President of the Republic on 13 July 1992 and publicized in all Tunisian media on 21 July 1992.

100. The office of ombudsman responsible to the President of the Republic was created by Presidential Decree No. 92-2743 of 10 December 1992. The ombudsman is responsible for receiving individual applications submitted by persons in connection with administrative matters concerning them. On the basis of those applications he intercedes with the competent administrative departments. He must be informed within the time-limit which he himself sets of the action taken on his intercession. If he receives no reply, he may bring the matter before the President of the Republic by means of a report containing his recommendations.

101. Decree No. 93-147 of 18 January 1993 establishing the new institution of the team of citizen-supervisors provides, in article 1, that "a team to verify the quality of public service is hereby established within the Office of the Prime Minister". Its responsibilities consist in undertaking, like any citizen, actual operations vis-à-vis the public services with a view to

verifying the quality of service within the administrative departments and observing the service provided by public officials. The citizen-supervisor performs his duties in State departments, public institutions, local communities and, in general, all agencies controlled directly or indirectly by the State or local communities. The institution of the team of citizen-supervisors forms part of the administrative reform undertaken by the State following the Change and is aimed in particular at improving the benefits and services provided by the authorities for the public.

102. The Decree of 26 July 1993 establishes within each ministry and each governorate a bureau directly responsible to the Minister or Governor known as the Relations with Citizens Bureau. These bureaux are responsible for helping citizens to overcome any difficulties they may encounter in their dealings with the various administrative departments and making it easier for them to obtain administrative benefits pursuant to the legislation and regulations in force.

103. Several non-governmental organizations concerned with human rights exist in Tunisia. Mention may be made, by way of example, of the Tunisian League for the Defence of Human Rights, the Arab Institute of Human Rights, the Tunisian Association for Human Rights and Fundamental Freedoms, and the Tunisian Section of Amnesty International. There are also other associations which concern themselves with specific aspects of human rights, such as the Tunisian Red Crescent, the Arab Organization for the Family, the Tunisian Children's Organization, the Support for Tunisians Abroad Association, the Health for All Association, the Tunisian Section of the World Movement of Mothers and the Forum for Humanitarian Law.

D. Supremacy of international conventions over internal legislation and their direct enforcement in Tunisia

104. Tunisia accords to the ratified convention the force of a more binding law than internal legislation. Thus, when the provisions of the convention and those of internal legislation diverge, supremacy is accorded to the provisions of the convention. Article 32 of the Tunisian Constitution stipulates that "treaties have the force of law only after their ratification. Duly ratified treaties have an authority superior to that of the laws".

105. Although the publication of the convention in the Journal Officiel continues to be necessary for it to be known, invoked and enforced by the judge or by any other authority, jurisprudence is moving towards the adoption of conventions whose text has not been published in the Journal Officiel. If a person has knowledge of the existence of a convention ratified by his State, according to official documents of the United Nations or other international organizations of which Tunisia is a member, or according to any other means of publication, he may invoke enforcement of that convention with a view to guaranteeing his rights. The judge informs the Ministry of Foreign Affairs of the existence of the convention, ascertains the commitments made and restrictions imposed, and then takes account of them in his judicial decisions, until such time as the Ministry of Foreign Affairs produces proof of the contrary, concerning the allegations made by the person in question. If the Administration raises objections on the grounds of the non-publication of the convention in the Journal Officiel, it may not avail itself of this fact vis-à-vis persons who are not supposed to be informed, unless the judge

is convinced that there is a valid excuse concerning the confidential character of the convention's provisions. This restrictive clause does not in substance modify the conventions relating to human rights.

106. Tunisia has ratified a large number of international conventions relating to human rights and has proclaimed its commitment to respect those conventions. It has publicized them within the country, with the result that its citizens may refer to them in their actions vis-à-vis the judicial authorities and other institutions competent in the area of human rights. Among these conventions, mention may be made of:

International Convention on the Elimination of All Forms of Racial Discrimination (ratified under Act No. 66-70 of 28 November 1966);

International Covenant on Civil and Political Rights (ratified under the Act of 29 November 1968). On 23 June 1993, Tunisia made the declaration provided for in article 41 of this Covenant;

International Covenant on Economic, Social and Cultural Rights (ratified under the Act of 29 November 1968);

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratified under Act No. 85-68 of 12 July 1985). Tunisia has published the declarations provided for in articles 21 and 22 of this Convention;

Convention on the Elimination of All Forms of Discrimination against Women (ratified under Act No. 85-68 of 12 July 1985);

International Convention on the Suppression and Punishment of the Crime of Apartheid (Tunisia acceded to the Convention under Act No. 76-89 of 4 November 1976);

International Convention against Apartheid in Sports (ratified in 1989);

Convention on the Rights of the Child (ratified under Act No. 91-92 of 29 November 1991);

Convention against Discrimination in Education (ratified in 1969);

Convention relating to the Status of Refugees (ratified under the Decree of 2 June 1955);

Convention relating to the Status of Stateless Persons (ratified under Act No. 69-27 of 9 May 1969);

Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (ratified under Act No. 67-41 of 21 November 1967);

Convention on the Nationality of Married Women (ratified under Act No. 67-41 of 21 November 1967);

Convention on the Political Rights of Women (ratified under Act No. 41 of 21 November 1967);

ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise (ratified under the Decree of 11 June 1957);

ILO Convention No. 100 concerning Equal Remuneration (ratified under Act. No. 68-21 of 2 July 1968);

ILO Convention No. 105 concerning the Abolition of Forced Labour (ratified under Act No. 138 of 23 December 1958);

ILO Convention No. 111 concerning Discrimination in respect of Employment and Occupation (ratified under Act No. 59-94 of 20 August 1959);

UNESCO Convention against Discrimination in Education (ratified under Act No. 69-40 of 26 July 1969).

IV. INFORMATION AND PUBLICITY

107. It is the responsibility of the State Secretariat for Information, attached to the Office of the Prime Minister, first, to implement the Government's policy on information by promoting plurality of ideas and opinions with a view to further developing a sense of citizenship and strengthening the foundations of society. The aim is to instil tolerance, promote national dialogue and encourage, through the broad dissemination of information and communication, the more effective participation of citizens in action geared to national development. It is the job of the State Secretariat to make known to the general public national and international legislation and reports relating to human rights through word, sound and image.

108. It is the responsibility of the Tunisian Foreign Communication Agency, established under Act No. 90-76 of 7 August 1990, to consolidate the presence of the Tunisian media abroad and to publicize national policy in all fields. It also plays an important role in the dissemination of the human rights culture among the public, through the publication of a number of books, articles and brochures concerning Tunisia's achievements in the area of human rights. It also gives broad publicity to international instruments ratified by Tunisia.

109. The Tunis Afrique Press Agency (TAP) covers national news and transmits Tunisian news beyond our frontiers. It also receives international news reports and disseminates them through its foreign bureaux and telegraph lines linking it to the various countries of the world. Through its publications it also helps to make human rights known to the public.

110. The written press (115 periodicals reflecting all shades of opinion), thanks to financial, legal and administrative encouragement and incentives by the State, reports, analyses and comments on developments, positions and decisions relating to human rights.

111. The radio, through its various services (one national, one international and four regional), broadcasts all information relating to the question of human rights and endeavours to increase listener awareness of the subject.

112. Tunisian television, which is widely watched throughout the country, helps to increase public awareness of human rights by broadcasting numerous programmes on this subject.

113. The systematic and official dissemination of legislation relating to human rights is effected through publication in the Journal Officiel de la République Tunisienne and in the specialized official periodicals of the departments and organs concerned (bulletin of the Chamber of Deputies, Legal Affairs bulletin, etc.).

114. The National Documentation Centre also contributes to the dissemination and awareness of information on human rights matters and information relating to the various aspects of national and international activities.

115. The national educational institutions are making enormous efforts to incorporate human rights into curricula and to instil the human rights culture in children and young people at all levels of schooling and in universities. Since the decision by the President of the Republic in October 1991, human rights departments have been set up in the four law faculties.

116. Specialized institutions, including the police training colleges, the Higher Institute of the Judiciary and the National School of Administration, have greatly increased the number of classes and courses on subjects relating to human rights.

117. The Arab Institute of Human Rights has for three years been performing great services in the area of the popularization of knowledge of human rights, training, information and publishing.

118. In Tunisia, information plays a fundamental role in the popularization of the human rights culture and informing the individual about his rights and obligations. Notwithstanding the efforts made in this respect, there is still a long way to go, and the development of information requires the assistance of all institutions in the various political, economic and cultural spheres.

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